

To: Davis, Tim[Davis.Tim@epa.gov]
Cc: Morrison, Kay[morrison.kay@epa.gov]; McClain-Vanderpool, Lisa[Mcclain-Vanderpool.Lisa@epa.gov]
From: Hart, Daniel
Sent: Thur 8/13/2015 12:17:11 AM
Subject: Re: Emergency Response to Gold King Mine Release Contact Us About Emergency Response to the Gold King Mine Release form (I'll fix that right now)

Those went through PiO review right? Is that the stuff that was part of the handoff?

Daniel (Danny) Hart | Acting Director of Web Communications | Office of Public Affairs | U.S. EPA | [Tel:202.564.7577](tel:202.564.7577) | cell: [202.365.7095](tel:202.365.7095)

On Aug 12, 2015, at 8:09 PM, Davis, Tim <Davis.Tim@epa.gov> wrote:

Good to know—thanks, Danny! I'll post right away whatever changes you, OGC and others would like.

Right now we're working on getting the Work Plan and related documents posted (four in all).

Thanks,

Tim

From: Hart, Daniel
Sent: Wednesday, August 12, 2015 6:08 PM
To: Davis, Tim
Cc: Morrison, Kay; McClain-Vanderpool, Lisa
Subject: Re: Emergency Response to Gold King Mine Release Contact Us About Emergency Response to the Gold King Mine Release form (I'll fix that right now)

Wait. Let me get this reviewed. Sorry, this was looked at by OGC.

Daniel (Danny) Hart | Acting Director of Web Communications | Office of Public Affairs |
U.S. EPA | [Tel:202.564.7577](tel:202.564.7577) | cell: [202.365.7095](tel:202.365.7095)

On Aug 12, 2015, at 7:52 PM, Davis, Tim <Davis.Tim@epa.gov> wrote:

Danny, I'd like to incorporate Kay's changes right away. Jennifer, David Ostrander and others have WAY bigger issues to deal with than passive vs. active voice, etc. They're not used to writing for the Web. This is a definite improvement!

Oops! I meant to send this over an hour ago—I forgot to hit send! WAY too much going on - sorry!

From: Morrison, Kay
Sent: Wednesday, August 12, 2015 4:29 PM
To: Davis, Tim; McClain-Vanderpool, Lisa
Cc: Hart, Daniel
Subject: RE: Emergency Response to Gold King Mine Release Contact Us About
Emergency Response to the Gold King Mine Release form (I'll fix that right now)

How about this:

People who suffer personal injury or property damage from U.S. government actions may make a claim for compensation.

- ☐ Learn about the [claims process in EPA's Regulation 40 Part 10](#), you may need to provide documentation to support your claims.

- ☐ Use [Standard Form 95](#) to file claims for loss of employment, loss of income, loss or damage to property, or other claims. Please fill out the form as completely as possible.

- ☐ Mail the completed forms to **ONE** of the following individuals, or email a signed electronic version to R8_GKM_Claims@epa.gov

Richard Feldman

Claims Officer

U.S. EPA Office of General Counsel

1200 Pennsylvania Avenue, NW (MC 2399A)

Washington, DC 20460

Michael Nelson

U.S. EPA Region 8 Office of Regional Counsel

1595 Wynkoop Street (MC 8RC)

Denver, CO 80202

Although EPA's regulations state that it has 6 months to resolve a claim, we will make every effort to respond to Gold King Mine release claims as soon as possible. Claims must be presented to EPA **within two years after the claim accrues**.

Please note that a completed form must state a claim for money damages in a "sum certain" amount (that is, a specific amount) claimed for personal injury, death, or injury to or loss of property. In addition, if a sum certain is not specified in Standard Form 95 block 12d, or in accompanying information, a submission cannot be considered a valid presentation of a claim.

Standard Form 95 is used to present claims against the United States under the Federal Tort Claims Act (FTCA) for property damage, personal injury, or death allegedly caused by a federal employee's negligence or wrongful act or omission occurring within the scope of the employee's federal employment. Standard Form 95 is not required to present a claim under the FTCA, but it is a convenient format for supplying the information necessary to bring an FTCA claim.

[link to <http://www.ecfr.gov/cgi-bin/text-idx?SID=bd7c2e93c7d08a843b5f7aa2a00e669e&mc=true&node=pt40.1.10&rgn=div5> for "claims process in EPA's Regulation 40 Part 10"]

[link to http://www2.epa.gov/sites/production/files/2015-08/documents/standardform95_4.pdf for "Standard Form 95" – there's really no reason to link to the bottom of the page in this case, it just makes them click twice, and they're probably frustrated enough. This is a good time to waive the rules about PDF file size etc.]

Kay Morrison

206-553-8321

-----Original Message-----

From: Davis, Tim

Sent: Wednesday, August 12, 2015 2:58 PM

To: Morrison, Kay; McClain-Vanderpool, Lisa

Cc: Hart, Daniel

Subject: RE: Emergency Response to Gold King Mine Release Contact Us About
Emergency Response to the Gold King Mine Release form (I'll fix that right now)

Absolutely, Kay! Go for it! :)

-----Original Message-----

From: Morrison, Kay

Sent: Wednesday, August 12, 2015 3:54 PM

To: Davis, Tim; McClain-Vanderpool, Lisa

Cc: Hart, Daniel

Subject: RE: Emergency Response to Gold King Mine Release Contact Us About
Emergency Response to the Gold King Mine Release form (I'll fix that right now)

I'm happy to help Tim. Any chance you'd like some more help with the language on that page? It's kind of written in the passive style, which we're not supposed to do any more.

Also it claims that the process is for citizens, but I'm wondering if legal non-citizens might also be eligible in which case you'd want to say "people" ...

Also, there's no link to "EPA's regulations at 40 CFR Part 10" in the first paragraph, which it looks like people need to read first.

Let me know if you'd like me to take a crack at it.

k

Kay Morrison

206-553-8321

-----Original Message-----

From: Davis, Tim

Sent: Wednesday, August 12, 2015 2:28 PM

To: McClain-Vanderpool, Lisa; Morrison, Kay

Cc: Hart, Daniel

Subject: Emergency Response to Gold King Mine Release Contact Us About
Emergency Response to the Gold King Mine Release form (I'll fix that right now)

Thanks SO much for pointing that out, Kay! Good to hear from you!

From: drupal_admin@epa.gov <drupal_admin@epa.gov> on behalf of EPA
<drupal_admin@epa.gov>

Sent: Wednesday, August 12, 2015 9:05 PM

To: R8EISC

Subject: Form submission from: Emergency Response to Gold King Mine Release
Contact Us About Emergency Response to the Gold King Mine Release form

Submitted on 08/12/2015 5:05PM

Submitted values are:

Name: Kay Morrison

Email Address: morrison.kay@epa.gov

Comments: You have a typo in the headline of the page about SF95. The headline reads "Claims Process and Standard Form 95 for Damage, Injury of Death as a Result of Gold King Mine Release" - it should be Injury *OR* Death, not injury of death.